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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/735,457	12/11/2003	Byoung Whi Kim	2013P137	2061

8791 7590 03/28/2007
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EXAMINER

CURS, NATHAN M

ART UNIT	PAPER NUMBER
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2613

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/28/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

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Office Action Summary	Application No. 10/735,457	Applicant(s) KIM ET AL.	
	Examiner Nathan Curs	Art Unit 2613	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 January 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

1. Claim 4 is objected to because of the following informalities: the phrases "passing multicast-objected wavelength" and "amplifying multicast-objected signal" each lack an article. Appropriate correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-4 are rejected under 35 U.S.C. 102(b) as being anticipated by Ge et al. ("Ge") (US Patent Application Publication No. 2002/0057861).

Regarding claims 1 and 3, Ge discloses a method for optically copying a packet, in which a packet in a subscriber access network based on a wavelength division multiplexing is broadcasted/multicast using an optical broadcast/multicast module disposed independently of an optical label exchange switch, the method comprising: (a) dividing the packet, which is received from an optical group exchange controlled by the optical label exchange switch, into a header and a payload (fig. 1 and paragraph 0031); (b) applying the payload to an i-th port of the optical label exchange switch (paragraphs 0044 and 0045); (c) leading the payload to the optical broadcast/multicast module by controlling the optical label exchange switch so that when the header represents a label for broadcasting/multicasting, a corresponding broadcasting/multicasting port of the optical label exchange switch is set as an output port of the

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optical label exchange switch, the broadcasting/multicasting port being coupled to the optical broadcast module, the optical broadcast/multicast module being designated for broadcasting/multicasting (paragraphs 0037, 0038, 0057, 0058, 0064, 0065 and 0068); and (d) reframing the header and the payload and transmitting the reframed header and the payload to a backbone network using the optical broadcast/multicast module (paragraph 0043).

Regarding claim 2, Ge discloses the method of claim 1, wherein step (d) comprises: (d1) storing the payload in a buffer (paragraphs 0039, 0048 and 0049); (d2) outputting the payload and the header from the buffer according to transmission priority and generating a reframing packet (paragraphs 0043 and 0048-0056); (d3) changing the reframing packet into optical signals having various wavelengths (paragraphs 0044 and 0045); (d4) demultiplexing the optical signals having various wavelengths so as to select only the optical signals having admitted wavelengths (fig. 1 and paragraph 0057); (d5) filtering the demultiplexed optical signals so as to adjust the spectral width of the optical signals to ensure a sufficient transmission distance (paragraphs 0070 and 0071); and (d6) multiplexing and amplifying the filtered optical signals so as to transmit the signals to the backbone network (fig. 1 and paragraphs 0060 and 0072).

Regarding claim 4. The method of claim 3, wherein step (d) comprises: (d1) storing the payload in a buffer (paragraphs 0039, 0048 and 0049); (d2) outputting the payload and the header from the buffer according to transmission priority and generating a reframing packet (paragraphs 0043 and 0048-0056); (d3) changing the reframing packet into optical signals having various wavelengths (paragraphs 0044 and 0045); (d4) demultiplexing the optical signals having various wavelengths so as to select only the optical signals having admitted wavelengths (fig. 1 and paragraph 0057); (d5) filtering the demultiplexed optical signals so as to adjust the spectral width of the optical signals to ensure a sufficient transmission distance (paragraphs 0070 and 0071); (d6) passing multicast-objected wavelength in the filtered optical signals and

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blocking remaining optical signals (paragraphs 0057, 0064, 0065, and 0070); and (d7) multiplexing and amplifying multicast-objected signal so as to transmit the signal to the backbone network (fig. 1 and paragraphs 0060 and 0072).

Response to Arguments

4. Applicant's arguments filed 9 January 2007 have been fully considered but they are not persuasive.

The applicant argues that if combined fiber 39 of Ge fig. 1 is the claimed broadcasting port, then output fibers 48 are not the claimed optical broadcast module because none of the output fibers are designated for broadcasting. However, this argument is not persuasive. Paragraph 0068 of Ge discloses that output fibers 48 are in fact designated for broadcasting/multicasting traffic.

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

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Conclusion

6. Any inquiry concerning this communication from the examiner should be directed to N. Curs whose telephone number is (571) 272-3028. The examiner can normally be reached on M-F (from 9 AM to 5 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jason Chan, can be reached at (571) 272-3022. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (800) 786-9199.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pairedirect.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



SHI K. LI
PRIMARY PATENT EXAMINER